

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF JUNE 15, 2004.

ATTENDANCE

COUNCIL: Randy Menard – Chair (District 9), Rob Stevenson – Vice Chair (District 8), Bobby Badeaux (District 1), Dale Bourgeois (District 2), Christopher J. Williams, Ph.D. (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Bruce Conque (District 6), Marc Mouton (District 7)

ABSENT: None

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk) and Anne Patin (Senior Administrative Assistant)

ADMINISTRATIVE STAFF: L. J. Durel, Jr. (City-Parish President), Becky Lalumia (Associate CAO/Finance Management), Gail Smith (Director of Administrative Services), Interim Chief Randy Hundley (Police Department), Chief Robert Benoit (Fire Department), Eleanor Lilly (Director of Planning, Zoning and Codes), Gerald Boudreaux (Director of Parks & Recreation), Terry Huval (Utilities Director), Melanie Lewis (Director of Community Development), Tom Carroll (Public Works Director), Pat Ottinger (Legal Counsel), Tony Tramel (Director of Transportation)

COMMENCEMENT

(TAPE 1)(SIDE A)(192) AGENDA ITEM NO. 1: Call to order.

Councilmember Randy Menard called the Regular Council Meeting of June 15, 2004 to order.

(TAPE 1)(SIDE A)(193) AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Marc Mouton was called upon to deliver the invocation and lead the Pledge of Allegiance.

(TAPE 1)(SIDE A)(218) AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT’S REPORT**

- a. Recognized the Acadiana Stars U-12 Girls Basketball Team and their Coach, Jared Broadhead.
- b. Bids recommended for award:

<u>ITEM</u>	<u>VENDOR</u>	<u>LUS ITEM</u>	<u>COUNCIL APPROVAL NEEDED</u>	<u>LOW OR RESPONSIVE BID</u>	<u>ESTIMATED CONTRACT AMOUNT</u>
1. 5 KV Under-ground Cable,	Wesco Distribution	Y	Y	Low	\$227,440.00
Padmounted	Stuart C. Irby	Y	Y	Low	\$161,484.40
Feedthru Cabinet	Techline, Inc.	Y	Y	Low	\$174,300.00
& Fusible Tap					
Switchgear					

Williamson stated that the bid package was structured on a per item basis and the low bidder on each item was awarded those items under a contract.

A motion was offered by Stevenson, seconded by Mouton to approve the bids recommended for award, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

Motion was unanimously approved.

(TAPE 1)(SIDE A)(303) AGENDA ITEM NO. 4: CEREMONIAL PRESENTATIONS

Recognitions

- a. Francie Bouillion, candidate for Judge on the Third Circuit Court of Appeal.
- b. The Consul General of France and 4 area veterans upon their return from the D-Day 60th Anniversary ceremonies in France.

(TAPE 1)(SIDE A)(556) AGENDA ITEM NO. 5: COUNCIL ANNOUNCEMENTS

- Councilmember Williams asked that the Public Works Director clarify comments he made on the flooding on the northside of Lafayette. Carroll reported that between May 12th and May 20th, the rain gauge on Butcher Switch Bridge registered 32” of rain (north of I-10) and the rain gauge at the Surrey Street Bridge registered 14” of rain in that same period. This shows that the direct rainfall was over the northern area. The major influence here is that the Coulee Ile de Cannes basin and the Coulee Mine basin did not get hit as hard. When those two tributaries get hit, it backs up the Vermilion River that much more and causes homes to flood in the Acacia Drive area.
- Williams then announced his 5th Annual Bus Tour on Wednesday, June 30, 2004. Anyone wishing to reserve a seat on the bus can call 291-8800. The tour helps to identify issues in the community.
- Councilmember Mouton thanked the Public Works Department for assisting in the Ronald McDonald charity event at the Cajundome this past weekend.

RESOLUTIONS

(TAPE 1)(SIDE A)(660) AGENDA ITEM NO. 6: R-038-2004 A resolution of the Lafayette City-Parish Council designating The Daily Advertiser as the Official Journal for the Lafayette City-Parish Consolidated Government for one year commencing July 1, 2004, motion to adopt by Conque, seconded by Bourgeois, and the vote was as follows:

YEAS: Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson

NAYS: Menard

ABSENT: Badeaux

ABSTAIN: None

Motion was approved.

(TAPE 1)(SIDE A)(676) AGENDA ITEM NO. 7: R-039-2004 A resolution of the Lafayette City-Parish Council authorizing the disposition of surplus property currently owned by the Lafayette City-Parish Consolidated Government (library books), motion to adopt by Mouton, seconded by Stevenson, and the vote was as follows:

YEAS: Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Badeaux

ABSTAIN: None

Motion was unanimously approved.

Upon questioning by Williams, Williamson stated the books will be turned over to the Friends of the Library and they will conduct a sale with the proceeds going back to the Library. There are 8400 books that are damaged and those books will be disposed of. Ottinger added that bicycles are under surplus property where these books are damaged and not usable. Library books are covered under a different State statute. Williams then requested that research be done on donation of a firearm. Ottinger informed Williams that the firearm would be handled with an Act of Deposit.

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE B)(035) AGENDA ITEM NO. 8: O-113-2004 An ordinance of the Lafayette City-Parish Council declaring the building or structure located at municipal address, 710 North Bienville Street, Lafayette, Louisiana, owned by Chester Onezime and Rita Previte, c/o Gerald J. Block, Attorney appointed to be dilapidated and dangerous to the public welfare and ordering the condemnation of same, motion to adopt by Bourgeois, seconded by Williams, and the vote was as follows:

YEAS: Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Badeaux

ABSTAIN: None

Motion was unanimously approved.

(TAPE 1)(SIDE B)(048) AGENDA ITEM NO. 9: O-114-2004 An ordinance of the Lafayette City-Parish Council declaring the building or structure located at municipal address, 208 Olivier Street, Lafayette, Louisiana, owned by Towana Charles, c/o Gerald J. Block, Attorney appointed to be dilapidated and dangerous to the public welfare and ordering the condemnation of same, motion to adopt by Stevenson, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

Motion was unanimously approved.

AGENDA ITEM NO. 19 WAS TAKEN OUT OF SEQUENCE.

(TAPE 1)(SIDE B)(061) AGENDA ITEM NO. 19: O-135-2004 An ordinance of the Lafayette City-Parish Council authorizing proceeds from sale of homes as part of the “Urban Infill Program” to be recycled back into program without having to return to the Lafayette City-Parish Council for approval each time proceeds are to be re-deposited into program, motion to adopt by Mouton, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was unanimously approved.

Roger Drake, CD Manager, explained this ordinance would allow Community Development to automatically re-deposit the funds back into the program without having to come to the Council each time a house is sold. CD will continue to build houses until the fund is exhausted.

Upon questioning by Williams, Drake explained there is funding for 17 houses. The fourth house is being built now with 7 lots under contract. Anyone interested in the Urban Infill Program can call the Housing Authority. In order to qualify, a person must be on housing assistance or getting Section 8 Rental Assistance. Benjamin then questioned if adjudicated properties could be used for this project. Drake answered that there are legal impediments because you are dealing with erasing liens; however, it is being considered.

(TAPE 1)(SIDE B)(161) AGENDA ITEM NO. 10: O-126-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government authorizing the transfer of \$5,867 within the International Trade Division of the CAO’s office and amending the manning tables by the creation of one (1) permanent less than full-time janitorial position within the International Trade Division of the CAO’s office, motion to adopt by Stevenson, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was unanimously approved.

Philippe Gustin, International Trade Manager, explained that he is requesting one permanent, less than full time Janitorial position for upkeep on the International Trade building. This will be at no cost to LCG. Funds will be reappropriated within the International Trade budget to support this position. Williams requested that the Administration be prepared to discuss at Budget Hearings the possibility of hiring employees, instead of contractual services, to take care of LCG buildings.

(TAPE 1)(SIDE B)(215) AGENDA ITEM NO. 11: O-127-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by \$20,087 to allow for the creation of six (6) Clerk I positions, permanent, less than twenty (20) hours a week, for the Office of the District Attorney, motion to adopt by Broussard, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard
NAYS: Mouton
ABSENT: None
ABSTAIN: None

Motion was unanimously approved.

Broussard explained that this is pass-thru money. The District Attorney will reimburse LCG for the entire cost of this increase.

(TAPE 1)(SIDE B)(239) AGENDA ITEM NO. 12: O-128-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government Police Department by amending the manning tables of the Lafayette Police Department to delete two (2) Departmental Records Clerk in the Services Division and by adding one (1) Departmental Records Clerk to the Administration Division and one (1) Departmental Records Clerk to the Patrol Division, motion to adopt by Benjamin, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was unanimously approved.

Upon questioning by Benjamin, Lalumia explained that this moves the individuals, at their current pay, into different divisions. It's more of a re-organization of the existing positions. Broussard then asked Hundley what would happen to the two vacancies in the Records Clerk. Hundley answered that he is moving strength from one department to two other departments. The two vacant positions will be deleted from the chart.

(TAPE 1)(SIDE B)(366) AGENDA ITEM NO. 13: O-129-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$300,000 from Bridge Improvements to Bridge Improvements-Argus Road project within the Department of Public Works for additional funding needed, motion to adopt by Stevenson, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was unanimously approved.

Carroll explained that Argus Road is in Milton. The bridge on Argus is in disrepair.

(TAPE 1)(SIDE B)(390) AGENDA ITEM NO. 14: O-130-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$41,540 from LA Ave Ext. PH II-Willow/Gloria project to Reserve – Streets, motion to adopt by Benjamin, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was unanimously approved.

(TAPE 1)(SIDE B)(403) AGENDA ITEM NO. 15: O-131-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to execute an intergovernmental agreement whereby Lafayette City-Parish Consolidated Government shall receive from the City of Broussard and the Town of Youngsville the sums of \$27,000 and \$3,000 respectively for the purpose of constructing a concession/restroom facility in Arceneaux Park, motion to adopt by Broussard, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard
NAYS: None
ABSENT: None

ABSTAIN: None

Motion was unanimously approved.

Upon questioning by Williams, Lalumia explained that the total \$239,000 is from LCG funds (Parish Bond Program for Recreation) and the balance will be contributed by Broussard (\$27,000) and Youngsville (\$3,000) to make up a \$300,000 difference.

(TAPE 1)(SIDE B)(455) AGENDA ITEM NO. 16: O-132-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by decreasing Director's Reserve in the Department of Utilities and increasing amounts appropriated for salaries and benefits for the Water Distribution Division in the amount of \$21,656.73 to correct a pay assignment as approved by Lafayette City-Parish Civil Service Board, motion to adopt by Benjamin, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion was unanimously approved.

(TAPE 1)(SIDE B)(470) AGENDA ITEM NO. 17: O-133-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the transfer of \$36,000.00 of Workforce Investment Act (WIA) Title I-B Dislocated Worker Funds to the Workforce Investment Act (WIA) Title I-B Adult Funds, and appropriating same within the Workforce Development Division budget, Department of Community Development, motion to adopt by Stevenson, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion was unanimously approved.

(TAPE 1)(SIDE B)(487) AGENDA ITEM NO. 18: O-134-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the transfer of \$72,731.00 of Workforce Investment Act (WIA) Title I-B Dislocated Worker Funds to the Workforce Investment Act (WIA) Title I-B Adult Funds, and appropriating same within the Workforce Development Division budget, Department of Community Development, motion to adopt by Stevenson, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion was unanimously approved.

CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/COMMISSIONS

(TAPE 1)(SIDE B)(506) AGENDA ITEM NO. 20: Appointment of _____ to the Lafayette Public Trust Financing Authority for a five year term effective June 21, 2004. (Nominee from Bar Association) *No nominations were received.*

(TAPE 1)(SIDE B)(511) AGENDA ITEM NO. 21: Appointment of _____ to the Taxicab Control Board for a four year term effective June 4, 2004. *Appointment will be re-advertised.*

(TAPE 1)(SIDE B)(514) AGENDA ITEM NO. 22: Appointment of _____ to the Taxicab Control Board for a four year term effective June 18, 2004. (Nominations from the Taxicab Companies). *No nominations were received.*

(TAPE 1)(SIDE B)(516) AGENDA ITEM NO. 23: Appointment of Tracy Carlson to the Board of Zoning Adjustment for a five-year term effective June 30, 2004.

Councilmember Williams nominated Regis Allison, Councilmember Stevenson nominated Tracy Carlson, and Councilmember Mouton nominated Harry Hebert, and the vote was as follows:
ALLISON: 4, 3
CARLSON: 6, 8, 1, 2
HEBERT: 5, 7, 9

There being no majority vote, the Chair then called for a vote on the top two nominees, and the vote was as follows:
CARLSON: 6, 8, 1, 2, 3, 4
HEBERT: 5, 7, 9
Tracy Carlson was appointed to the Board of Zoning Adjustment.

(TAPE 1)(SIDE B)(565) AGENDA ITEM NO. 24: Appointment of Mark Tullos, Jr. to the Lafayette Parish Library Board of Control to fill an unexpired term until November 30, 2005.

Councilmember Benjamin nominated Thetis Cusimano, Councilmember Mouton nominated Walter Gaudet and Councilmember Conque nominated Mark Tullos, and the vote was as follows:
CUSIMANO: 1, 3, 4
GAUDET: 7, 6
TULLOS: 6, 8, 9, 2

There being no majority vote, the Chair then called for a vote on the top two nominees, and the vote was as follows:
CUSIMANO: 7, 1, 3, 4
TULLOS: 8, 9, 2, 5, 6
Mark Tullos was appointed to the Lafayette Parish Library Board of Control.

(TAPE 1)(SIDE B)(628) AGENDA ITEM NO. 25: Appointment(s) by Council member(s) and/or City-Parish President and/or Area Mayors, and/or any other direct appointing authority.

<u>Appointing Authority</u>	<u>Appointee Name And Address</u>	<u>Board, Commission and/or Legal Agency</u>	<u>Term</u>	<u>Effective Date</u>
C-P President	Kolleen Verlander 610 Girard Park Drive Lafayette, LA 70506	Lafayette Preservation Committee	to fill an unexpired term till 8/31/2005	06/15/2004

INTRODUCTORY ORDINANCES

(TAPE 1)(SIDE B)(639) AGENDA ITEM NO. 26 - 29: Motion to adopted by Broussard, seconded by Conque, to approve the following ordinances, except Item 30, for introduction, in-globo, and the vote was as follows:
YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard
NAYS: None
ABSENT: None
ABSTAIN: None
Motion was unanimously approved.

- 26. O-136-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$523,377 from S. Williams Drive Extension, Felicie Drive Drainage and Marie Antoinette @ W. Congress projects to Reserve.
- 27. O-137-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$235,000 from Reserve to Bellefontaine Drainage Improvements project within the Department of Public Works for additional funding needed.
- 28. O-138-2004 An ordinance of the Lafayette City-Parish Council authorizing the acquisition of a certain parcel of land from William James LeBlanc.
- 29. O-139-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a portion of the public alley in Block 3 of McComb Addition.

(TAPE 1)(SIDE B)(690) AGENDA ITEM NO. 30: O-140-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$120,000 from Council Reserve to a new work order to provide funding for establishment of a permanent location of “Ms. Rose’s Bar” statue, motion to approve for introduction by Williams, seconded by Benjamin.

Conque explained that this ordinance requests \$120,000 for a new work order and under the authorization for the budgetary revision, it specifically says it would go into the City CIP fund. It also identifies it as Capital Improvements. Looking back at past Council action regarding new Capital Improvements programs, three (3) actions were taken by the Council to place a moratorium on any new Capital Improvements programs. The Council took the most recent action on December 16, 2003 and it was unanimous for a moratorium. Williams rebutted that the funds are for cleanup and landscaping. Actual work on the statue has been completed in-house. He then urged approval for introduction.

Bourgeois stated that he felt the funds could be used more wisely and asked if there was still some concern from the area churches. Benjamin answered that apparently Councilmembers Conque and Bourgeois were not given all the information on this project and he requested that the Clerk supply that information to them. He stated that there was a commitment made by himself and others in LCG, prior to them coming on the Council, to the citizens and the people asking for placement of the statue. This project was also part of the Simcoe Street Corridor Project, pre-dating the moratorium.

The Chair then called for a vote on the motion, and the vote was as follows:

YEAS: Williams, Benjamin

NAYS: Badeaux, Bourgeois, Broussard, Conque, Mouton, Stevenson, Menard

ABSENT: None

ABSTAIN: None

Motion failed.

Williams then stated that he felt the Council was denying art expression to the black community and should deal with the hatred that exists on the Council. Benjamin then requested that the Administration develop criteria for the funding of art displays, Festivals Internationale and External Agencies.

Menard rebutted that 1) originally, the Council was asked to fund \$200 to move the statue from another parish to the Acadiana Arts Council. The church across the street from the Arts Council voiced an objection. No commitment was made to spend any additional funds to place the statue anywhere else, and 2) took exception to Councilmember Williams’ comment regarding hatred.

(TAPE 2)(SIDE A)(277) AGENDA ITEM NO. 31: Comments from the public concerning the above Introductory Ordinances.

No comments.

ADJOURN

(TAPE 1)(SIDE A)(277) There being no further business to come before the Council, Chair Menard declared the Regular Council Meeting adjourned.

NORMA A. DUGAS, CLERK
LAFAYETTE CITY-PARISH COUNCIL